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Raymond Y. Mah
NIXON & VANDERHYE, P.C.
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of ISHIHARA ET AL.

Appl. No.: 09/866,541

Filed: May 29, 2001

For: GAME SYSTEM USING GAME CARDS AND
GAME MACHINE

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: **DECISION ON PETITION**
: **UNDER 37 CFR 1.59**
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This is a decision on the petition under 37 CFR 1.59(b), filed August 11, 2005, to expunge information from the above identified application. The petition included authorization to charge the requisite fee under 37 CFR 1.17(h) to deposit account 14-1140 and to further charge any deficiency in fee. Office records indicate a fee of \$130 has been charged.

Petitions to expunge require a fee of \$200 as set forth in 37 CFR 1.59 and 37 CFR 1.17(g). The application is being forwarded to the Head Supervisory Applications examiner for charging of the \$70 fee deficiency as authorized.

The petition is dismissed.

Petitioner requests that a document entitled letter from the Yamada Patent Office and entered into the Office's Image File Wrapper (IFW) system as Amendment After Final, filed July 22, 2005, be expunged from the record.

The petition is deficient because:

1. The petition does not contain a commitment on the part of petitioner to retain the information to be expunged for the life of any patent with regard to which such information has been submitted.

Art Unit: 3714

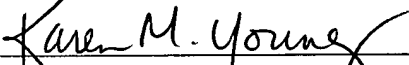
2. The petition does not contain a clear statement that the information requested to be expunged is either: (1) a trade secret, proprietary, and/or subject to a protective order; or (2) was unintentionally submitted and failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted. In particular, the statement regarding harm has been omitted.

3. The petition does not contain a statement that the petition is being submitted by, or on behalf of, the party in interest who originally submitted the information.

Petitioner may request reconsideration of the petition. Any such request must be resubmitted within two months of the mailing date of this decision and supply the omitted statements.

Any questions regarding this petition decision should be directed to Jessica Harrison, Technology Center 3700 Special Programs Examiner at 571-272-4449.

PETITION DISMISSED.



Karen M. Young, Director
Technology Center 3700